IN THE HIGH COURT OF JUDICATURE FOR RAJASTHAN
AT JAIPUR BENCH, JAIPUR

O R D E R

S.B. CRIMINAL REVISION PETITION NO. 802/2005

GURUCHARAN SINGH JAVA & ORS.
Vs.
STATE OF RAJASTHAN & ANR.

DATE: 30.05.2007.

HON'BLE MR. K.S. RATHORE, J.

Mr. Anurag Sharma for the accused-petitioners.
Mr. B.K. Sharma, Public Prosecutor for the State.
Mr. Nawab Ali for the complainant-respondent.

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The present criminal revision petition under Section 397 r/w Section 401 Cr.P.C. is preferred by the accused-petitioners against the order dated 30.06.2005 passed by the Additional District & Sessions Judge No.2, Jaipur City, Jaipur in Criminal Revision No. 10/2005, whereby the revision petition filed by the complainant-respondent Fakhruddin has been allowed and while remanding the matter the trial Court has been directed to take cognizance against the accused-petitioners for the offences under Sections 379 and 414 IPC.

Learned counsel for the accused-petitioners placed reliance on the judgment rendered by this Court in **S.B. Criminal Revision Petition No. 293/2003-**

Ramswaroop & Ors. Vs. State of Rajasthan & Anr., dated 22.02.2007.

Having heard rival submissions of the respective parties and after going through the impugned order dated 30.06.2005, in the interest of justice, I deem it proper to quash and set-aside the impugned order dated 30.06.2005 passed by the Additional District & Sessions Judge No.2, Jaipuir City, Jaipur and remand the matter back to the Revisional Court for fresh adjudication after giving opportunity of being heard to the accused-petitioners and in the light of judgment rendered by this Court in the aforementioned case of **Ramswaroop & Ors. (supra)** and shall pass fresh order in accordance with the provisions of law.

With these observations, the revision petition stands disposed of.

(K.S. RATHORE),J.

/KKC/